

(g) This section and Section 29 of this Act take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this section and Section 29 of this Act take effect September 1, 2003.

Passed the Senate on March 6, 2003, by a viva-voce vote; the Senate concurred in House amendments on April 25, 2003: Yeas 29, Nays 0; passed the House, with amendments, on April 24, 2003: Yeas 142, Nays 0, one present not voting.

Approved May 9, 2003.

Effective September 1, 2003, except §§ 29 & 34, effective immediately.

CHAPTER 18

S.B. No. 416

AN ACT

relating to the regulation of boilers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (b), Section 755.011, Health and Safety Code, is amended to read as follows:

(b) The board is composed of the following nine members appointed by the commissioner:

- (1) three members representing persons who own or use boilers in this state;
- (2) three members representing companies that insure boilers in this state;
- (3) one member representing boiler manufacturers or installers;
- (4) one member *representing organizations that repair or alter boilers* ~~[who is a mechanical engineer and a member of the faculty of a recognized college of engineering]~~ in this state; and
- (5) one member representing a labor union.

SECTION 2. Subsections (a) and (c), Section 755.026, Health and Safety Code, are amended to read as follows:

(a) With the approval of the commissioner and the inspection agency that has jurisdiction for the power boiler, the interval between internal inspections may be extended to a period not exceeding a total of 60 [48] months. For ~~[other]~~ unfired steam boilers or steam collection or liberation drums of process steam generators, the inspection interval may be extended to the next scheduled downtime of the boiler, but not exceeding a total of:

- (1) 84 months *for unfired steam boilers; or*
- (2) 120 months *for steam collection or liberation drums of process steam generators.*

(c) *In addition to an extension authorized under Subsection (a), the [The] commissioner and the inspection agency may grant an emergency [additional] extension for a period not exceeding 120 days to the inspection interval covered by the boiler's certificate of operation on receipt of a request for extension stating that an emergency exists. Before the extension may be granted, the inspection agency must make an external inspection of the boiler, and the conditions imposed under Subsection (b) must be met. The commissioner and the inspection agency may not grant more than one emergency extension under this subsection in an interval between internal inspections.*

SECTION 3. This Act takes effect September 1, 2003.

Passed the Senate on March 13, 2003: Yeas 30, Nays 0; passed the House on April 24, 2003, by a non-record vote.

Approved May 9, 2003.

Effective September 1, 2003.